

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:14-cv-643-FDW-DCK**

BRANDON PATRICK LINK,)
)
)
Plaintiff,)
)
)
v.)
)
)
PENNSYLVANIA STATE POLICE;)
TODD A. ADAMSKI, Officer;)
LIBERTY TRANSPORTATION, INC.;)
JOSEPH HUTH; MARC PALLA,)
)
)
Defendants.)
)

ORDER

THIS MATTER is before the Court on an initial review of Plaintiff's pro se complaint and his motion to proceed *in forma pauperis*. See 28 U.S.C. § 1915(e).

It does not appear from a review of his complaint that Plaintiff is presently incarcerated; however, because he has filed a motion to proceed *in forma pauperis* (IFP), the Court must examine his complaint to determine whether this Court has jurisdiction and to ensure that the action is not (1) frivolous or malicious; (2) that the complaint fails to state a claim upon which relief may be granted; or (3) that Plaintiff is seeking monetary damages from a defendant who is immune from such relief. See 28 U.S.C. § 1915(e)(2)(B); see also *Michau v. Charleston County, S.C.*, 434 F.3d 725, 728 (4th Cir. 2006) (noting that § 1915(e) "governs IFP filings in addition to complaints filed by prisoners . . .").

In his complaint, Plaintiff appears to raise a claim of breach of contract and abuse of process against Defendants Liberty Transportation, Inc., Joseph Huth, and Marc Palla. Plaintiff also presents a claim of violation of his Due Process rights under the Fourteenth Amendment. Plaintiff has submitted a summons for only Defendants Marc Palla and Joe Huth. Plaintiff is

hereby notified that he must submit a completed summons which identifies each defendant he contends should be served with a copy of process in this matter. Failure to submit the necessary summonses within twenty days for each individual defendant that Plaintiff seeks to have process served upon may result in dismissal of the complaint against those defendants without further notice.

IT IS, THEREFORE, ORDERED that Plaintiff shall submit a completed summons to the Clerk within twenty days from entry of this Order for each individual that he wishes to name as a defendant in this lawsuit. Failure to submit the summonses as ordered will result in dismissal of this action against those defendants not named in an individual summons and without further notice.

IT IS SO ORDERED.

Signed: January 12, 2015



Frank D. Whitney
Chief United States District Judge

